

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

04/11/01

Anticipated Classification of this Application _____
 Examiner T. G. Larson Docket No. 55669-Z
 Class _____ Subclass _____ Group Art Unit 1635

ASSISTANT COMMISSIONER FOR PATENTS
 Washington, D.C. 20231

S I R:

This is a request for filing a X CONTINUATION

_____ DIVISIONAL _____ CONTINUATION-IN-PART application under

X 37 C.F.R. § 1.53(b) _____ 37 C.F.R. § 1.53(d), of pending prior application

Serial No. 09/109,614 filed on July 2, 1998 of

Cy A. Stein for
 Inventor(s)

OLIGONUCLEOTIDE INHIBITORS OF BCL-XL
 Title of Invention

X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.

X A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27

_____ is enclosed

X was filed in the prior application and such status is still proper and desired (37 C.F.R. § 1.28(a)).

X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY AMENDMENT

| | NUMBER FILED | | NUMBER EXTRA* | | RATE | | FEE | |
|--|-----------------|---|------------------|---|-----------------|-----------------|-----------------|-----------------|
| | | | | | SMALL ENTITY | OTHER ENTITY | SMALL ENTITY | OTHER ENTITY |
| Total Claims | 7-20 | = | 0 | X | \$ 9 | \$ 18 | = | \$ 0 \$ 0 |
| Independent Claims | 3-3 | = | 0 | X | \$ 39 | \$ 78 | = | \$ 0 \$ |
| Multiple Dependent Claims Presented: _____ Yes <u>X</u> No | | | | | \$ 130 | \$ 260 | = | \$ 0 \$ 0 |
| *If the difference in Col. 1 is less than zero, enter "0" in Col. 2. | | | | | BASIC FEE | | \$ 345 | \$ |
| | | | | | TOTAL FEE | | \$ 345 | \$ |

4. X The Commissioner is hereby authorized to charge payment of the following fees associated with this application or credit any overpayment to Deposit Account No. 03-3125.

X Any additional fees required under 37 C.F.R. § 1.16.

jc939 U.S. PTO
 09/83268
 04/11/01

☒ Any patent application processing fees under 37 C.F.R. § 1.17.

☐ The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

5. ☒ Three copies of this sheet are enclosed.

6. ☒ A check in the amount of \$ 345 is enclosed.

7. ☐ Cancel claims .

8. ☒ Amend the specification by inserting before the first line the sentence: --This is a ☒ continuation division of application of Serial No. 09/109,614, filed July 2, 1998 which is a continuation of application Serial No. filed .

9. ☐ Sheet(s) of informal formal drawings is/are enclosed.

10. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.

11. ☐ Priority of application No. filed on in (country) is claimed under 35 U.S.C. § 119.

☐ The certified copy of the priority application has been filed in prior application Serial No. , filed .

12. ☒ The prior application is assigned of record to The Trustees of Columbia University in the City of New York.

13. ☒ A preliminary amendment is enclosed.

14. ☒ The power of attorney in the prior application is to:

(a) ☐ The power appears in the original papers of the prior application.

(b) ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) ☒ Address all future communications to:
(May only be completed by applicant,
or attorney or agent of record.)

John P. White, Esq.
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036

15. ☒ Also enclosed Express Mail Certificate bearing label no. EL 837 183 238 US.

16. X I hereby verify that the attached papers are a true copy of prior application Serial No. 09/109,614 as originally filed on July 2, 1998.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

4/11/61
Date

Peter J. Phillips
Peter J. Phillips, Reg. No. 29,691

 INVENTOR(S)
 ASSIGNEE OF COMPLETE INTEREST
 X ATTORNEY OR AGENT OF RECORD
 FILED UNDER 37 C.F.R. §1.34(a)

Address of Signator

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New York, New York 10036